

October 30, 2018

VIA ECF

The Honorable Colleen McMahon  
United States District Court  
500 Pearl Street  
New York, NY 10007

USDC SDNY  
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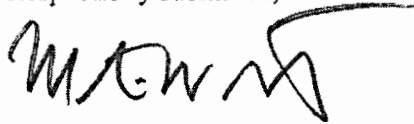
*Sergeants Benevolent Ass'n Health & Welfare Fund v. Actavis plc*, 15-cv-6549-CM

Dear Judge McMahon:

MEMO ENDORSED

We write with respect to Plaintiff's reply brief in support of its motion for leave to file a second amended complaint (ECF 163). Plaintiff's statement that "[o]nly the Generic Defendants oppose the motion" (ECF No. 163 at 1) is incorrect. As Forest and Merz Defendants stated in the reply in support of our supplemental motion to dismiss the first amended complaint, we will oppose Plaintiffs' motion to amend in due course, and we will timely file our opposition by the deadline, November 1, 2018. *See* ECF No. 159 at 4 ("Forest Defendants intend to oppose IPPs' motion for leave in due course"); Individual Practices & Procedures, Chief Judge Colleen McMahon § IV.G. ("Answering papers or motions are to be served fourteen days after receipt of the moving papers."). We respectfully request that the Court not decide the motion until it is fully briefed.

Respectfully submitted,



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10/31/2018  
The Court opposes the motion.  
We have time to consider mark on  
the motions to dismiss; no effort was  
made to ~~amend~~ further amend the complaint  
until after defendants filed additional  
papers in support of the pending  
motions to dismiss. I will  
decide ~~those~~ motions.  
[Signature]